

# ***EXHIBIT B***

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

AMBER D. HALL,  
Plaintiff,

v.

Civil Action No. 18-C-526  
Honorable Tod J. Kaufman

GESTAMP WEST VIRGINIA, LLC,  
BARRY HOLSTEIN, KENNETH  
SUPRENANT, and SCOTT HUGHES,  
Defendants.

**VOLUME II**

The continuing deposition of **AMBER D. HALL** was taken under the West Virginia Rules of Civil Procedure in the above-entitled action before Lisa V. Miller, a Certified Court Reporter and Notary Public within and for the State of West Virginia, on the 6th day of February 2020, commencing at 9:47 a.m., at the law offices of Hendrickson & Long, PLLC, 214 Capitol Street, Charleston, West Virginia, pursuant to notice.

1     myself and Summer Bennett.

2                   Q       And who is Summer Bennett?

3                   A       Summer Bennett is a friend of mine from  
4     Oregon.

5                   Q       Okay. Let's turn back to Exhibit 30, which  
6     is the Complaint. Turn to Paragraph 72 on Page 9, where the  
7     9 is at the top?

8                   A       (Witness complies.)

9                   Q       Paragraph 72 says that your "termination was  
10    due to Plaintiff's disability and/or gender, as a violation  
11    of the West Virginia Human Rights Act."

12                  A       Yes.

13                  Q       So you're alleging that your termination was  
14    due to your disability and due to gender?

15                  A       I am not alleging that that is the only  
16    reason, no. That is one of the reasons.

17                  Q       Okay. And so you are making claims of  
18    disability discrimination and gender discrimination under  
19    the West Virginia Human Rights Act?

20                  A       Yes.

21                  Q       Are you making any other claims in this  
22    action?

23                  A       All my claims are in this document.

24                  Q       Yeah, and I'm trying to see what other claims

1     you're making.

2                   A       I'll read it for you. (Witness reads  
3     document.) 71 states "Plaintiff was illegally targeted for  
4     termination due to her medical leave and issues with PTSD  
5     anxiety and her gender, female," and also the one on 72.

6                   Q       So are you alleging that you were retaliated  
7     against for taking leave under the Family Medical Leave Act?

8                   A       Can you say that one more time? I was  
9     reading.

10                  Q       Are you alleging in Paragraph 71 that you  
11     were retaliated against for taking leave under the Family  
12     Medical Leave Act?

13                  A       Yes.

14                  Q       Other than disability discrimination,  
15     gender discrimination, and FMLA retaliation, are there any  
16     other claims you're making in this lawsuit?

17                  A       Sexual harassment.

18                  Q       Any other claims you're making other than -

19                  A       May I read this?

20                  Q       Sure.

21                  A       (Witness reads document.) So the question  
22     was?

23                  Q       We've talked about gender discrimination,  
24     disability discrimination, FMLA retaliation, and sexual

1 harassment. Are there any other claims that you are making  
2 in this lawsuit?

3 MR. HOOSIER: Object to the form, but you can  
4 answer it to the extent you can.

5 THE WITNESS: I'm having a hard time here.

6 BY MR. FLOWERS:

7 Q Are there any other reasons you're claiming  
8 you were terminated, discriminatory reasons, retaliatory  
9 reasons?

10 A For retaliatory reasons.

11 Q This is your deposition, so this is your  
12 Complaint. I'm just trying to figure out what your claims  
13 are.

14 A My claims are for what you said already, the  
15 sexual harassment, the harassment.

16 Q So the sexual harassment, are you saying  
17 there's a different claim for harassment other than sexual  
18 harassment in your Complaint?

19 A It's all together.

20 Q Okay. So it's all sexual harassment? Are  
21 you claiming harassment based on any category other than sex?

22 A Yes. Yes, I am.

23 Q Okay. So you're saying there was harassment  
24 based on factors other than sex?

1 A Yes.

2 Q Okay. So sexual harassment, harassment,  
3 disability discrimination -

4 A Hostile working environment.

5 Q Hostile work environment based on what?

6 A I'm really having a hard time understanding  
7 what question you're asking me because -

8 Q You know you're bringing claims in this  
9 lawsuit, right?

10 A Yes.

11 Q And I'm trying to figure out what claims  
12 those are.

13 A Okay. So do you need examples?

14 Q No, I just need - like you're saying that  
15 you're bringing a sexual harassment complaint. That means  
16 you were harassed on the basis of sex.

17 A Yes.

18 Q You're bringing discrimination based on  
19 disability and gender claims, that you were discriminated  
20 against based on disability and gender?

21 A Yes.

22 Q You said you were bringing an FMLA  
23 retaliation claim, which that means you were retaliated  
24 against because you took FMLA leave?

1           A       Yes.

2           Q       So I'm trying to figure out, are there any  
3 other claims upon which you're bringing this action?

4           A       So harassment, hostile working environment.  
5 And when you say based on what, are you looking for an example?  
6 That's what I'm asking you.

7           Q       You're saying a hostile work environment,  
8 just in general, not based - in addition to your sexual  
9 harassment claim, you're bringing a claim for general hostile  
10 work environment?

11          A       Yes.

12          Q       Okay.

13          A       And what I mean is that the environment that  
14 I was working in was so hostile that it affected me physically,  
15 it affected me mentally, it affected me so much to the point  
16 that it got so bad that I ended up leaving in an ambulance.

17          Q       Okay. And I'll get into detail about each  
18 of these claims. I'm just trying at this point to see what  
19 the claims are, and then I'll go back over them.

20          A       Okay.

21          Q       So have we covered all of the claims you're  
22 bringing in this action?

23          A       I believe so right now.

24          Q       Okay.

1 A And pay disparagement.

2 Q So turn in the Complaint to Paragraph 75.

3 A (Witness complies.)

4 Q Do you see Paragraph 75?

5 A Yes.

6 Q It says, "Plaintiff reserves right to amend  
7 to allege claims for violations of public policy, namely  
8 relation to plaintiff's complaints, her taking leave to  
9 address medical concerns, complaints of sexual harassment,  
10 and violations of the Equal Pay Act."

11 So where it says you reserve the right to  
12 amend, you're saying you are claiming a violation of pay  
13 disparity?

14 A Yes.

15 Q Okay. Anything else?

16 A I think that's it at this time. I think  
17 that's the best I can answer that question right now.

18 Q Okay. So talking about your termination for  
19 taking medical leave claim, did anyone tell you, you were  
20 being terminated because you took medical leave?

21 MR. HOOSIER: Object to form.

22 THE WITNESS: No.

23 BY MR. FLOWERS:

24 Q Did anyone tell you anything that would lead



1           IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

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7       STATE OF WEST VIRGINIA,

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9       COUNTY OF KANAWHA, to wit:

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11

12

13                   I, Lisa V. Miller, a Certified Court Reporter and

14       Notary Public within and for the county and state aforesaid,

15       duly Commissioned and qualified, do hereby certify that the

16       foregoing deposition of **AMBER DEE HALL** was taken by and before

17       me at the time and place and for the purpose specified in the

18       caption hereof, the said witness having been first duly sworn

19       by me to testify the whole truth and nothing but the truth

20       concerning the matter in controversy.

21                   I do further certify that the said deposition was

22       transcribed under my direction and supervision and that this

23       deposition is a true record of the testimony given by the

24       witness.

25                   I do further certify that I am not connected by blood

26       or marriage with any of the parties in this matter, am not a

1 relative or employee or attorney or counsel of any of the  
2 parties, nor am I a relative or employee of such attorney or  
3 counsel or financially interested in the matter or interested  
4 directly or indirectly in the matter in controversy.

5 Given under my hand and official seal this 20th day of  
6 February 2020.

7  
8  
9 Certified Court Reporter  
10 Notary Public  
11

12  
13 My Commission expires October 27, 2020.

14



**Service of Process  
Transmittal**

05/03/2018

CT Log Number 533275283

**TO:** Gene T Price, Partner  
Burr Forman LLP  
420 20th St N Ste 3400  
Birmingham, AL 35203-3284

**RE: Process Served in West Virginia**

**FOR:** Gestamp West Virginia, LLC (Domestic State: DE)

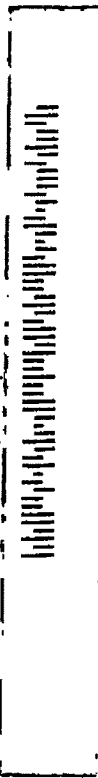
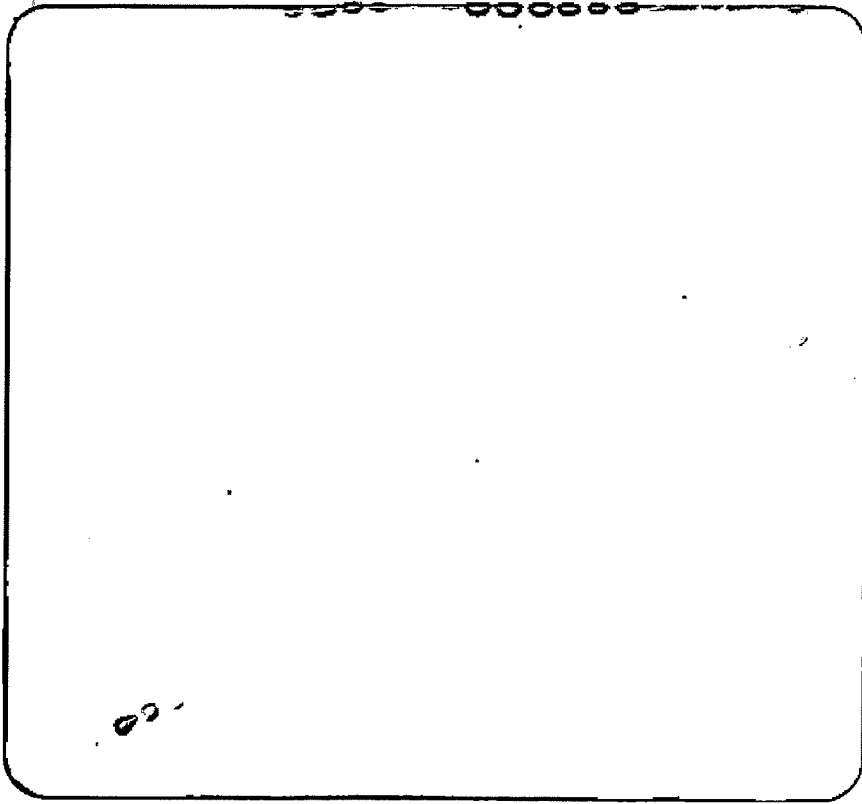
**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** AMBER D. HALL, Pltf. vs. GESTAMP WEST VIRGINIA, LLC, et al., Dfts.  
**DOCUMENT(S) SERVED:** Letter, Summons, Attachment(s), Complaint  
**COURT/AGENCY:** Kanawha County Circuit Court, WV  
Case # 18C526  
**NATURE OF ACTION:** Employee Litigation - Wrongful Termination - On April 25, 2017  
**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Charleston, WV  
**DATE AND HOUR OF SERVICE:** By Certified Mail on 05/03/2018 postmarked on 05/01/2018  
**JURISDICTION SERVED :** West Virginia  
**APPEARANCE OR ANSWER DUE:** Within 30 days after service of this summons upon you, exclusive of the day of service  
**ATTORNEY(S) / SENDER(S):** D. Adrian Hoosier, II  
Lord Hoosier PLLC  
225 Hale Street  
Charleston, WV 25301  
(304) 345-8030  
**ACTION ITEMS:** SOP Papers with Transmittal, via UPS Next Day Air , 1ZX212780105953241  
**SIGNED:** C T Corporation System  
**ADDRESS:** 5400 D Big Tyler Road  
Charleston, WV 25313  
**TELEPHONE:** 302-658-7581

CERTIFIED MAIL



U.S. POSTAGE PITNEY BOWES  
ZIP 25311 \$ 006.58<sup>0</sup>  
02 4M  
0000336734 MAY 01 2018

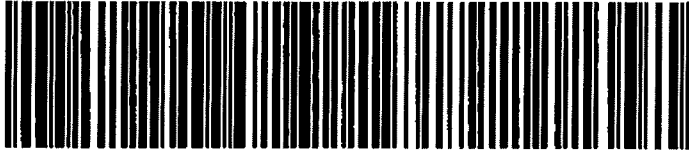


Office of the Secretary of State  
Building 1 Suite 157-K  
1900 Kanawha Blvd E.  
Charleston, WV 25305



**Mac Warner**  
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State of West Virginia  
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9214 8901 1251 3410 0002 3114 73

GESTAMP WEST VIRGINIA LLC  
C. T. Corporation System  
5400 D Big Tyler Road  
CHARLESTON, WV 25313

**Control Number: 218590**

**Defendant: GESTAMP WEST VIRGINIA LLC**  
5400 D Big Tyler Road  
CHARLESTON, WV 25313 US

**Agent: C. T. Corporation System**

**County: Kanawha**

**Civil Action: 18-C-526**

**Certified Number: 92148901125134100002311473**

**Service Date: 4/30/2018**

I am enclosing:

**1 summons and complaint**

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

*Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.*

Sincerely,

A handwritten signature in cursive script that reads "Mac Warner".

Mac Warner  
Secretary of State

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**AMBER D. HALL,**

**Plaintiff,**

**v.**

**Civil Action:** *18-C-526*  
**Judge:**

*Kaufman*

**GESTAMP WEST VIRGINIA, LLC  
BARRY HOLSTEIN  
KENNETH SUPRENANT  
& SCOTT HUGHES,**

**Defendants.**

**SUMMONS**

**TO: GESTAMP WEST VIRGINIA, LLC  
c/o CT Corporation System  
5400 D Big Tyler Rd.  
Charleston, WV 25313**

2018 APR 30 P 1:53  
STATE OF WEST VIRGINIA  
CLERK OF COURT

IN THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon **Adrian Hoosier, II, Plaintiff's attorney, whose address is Lord Hoosier, PLLC, 225 Hale Street, Charleston, WV 25301**, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred for asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 4/18/18

**Cathy S. Gatson, Clerk**

Circuit Clerk

*By Clerk*

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**CIVIL CASE INFORMATION STATEMENT**  
(Civil Cases Other than Domestic Relations)FILED  
2018 FEB 18 A 10:09  
Kaufman**I. CASE STYLE:**

Plaintiff(s)

AMBER D. HALL

Case No. 18-C-526Judge: Kaufman

vs.

Defendant(s)

Days to  
Answer

Type of Service

GESTAMP WEST VIRGINIA, LLC

30

SOS

Name

C/O CT CORP SYSTEM 5400 D BIG TYLER RD.

Street Address

CHARLESTON, WV 25313

City, State, Zip Code

**II. TYPE OF CASE:**

- ☒ General Civil
- ☐ Mass Litigation [As defined in T.C.R. 26.04(a)]
- ☐ Asbestos
- ☐ FELA Asbestos
- ☐ Other: \_\_\_\_\_
- ☐ Habeas Corpus/Other Extraordinary Writ
- ☐ Other: \_\_\_\_\_
- ☐ Adoption
- ☐ Administrative Agency Appeal
- ☐ Civil Appeal from Magistrate Court
- ☐ Miscellaneous Civil Petition
- ☐ Mental Hygiene
- ☐ Guardianship
- ☐ Medical Malpractice

**III. JURY DEMAND:** ☒ Yes ☐ No CASE WILL BE READY FOR TRIAL BY (Month/Year): 04 / 2020**IV. DO YOU OR ANY  
OF YOUR CLIENTS  
OR WITNESSES  
IN THIS CASE  
REQUIRE SPECIAL  
ACCOMMODATIONS?**☐ Yes ☒ No**IF YES, PLEASE SPECIFY:**

- ☐ Wheelchair accessible hearing room and other facilities
- ☐ Reader or other auxiliary aid for the visually impaired
- ☐ Interpreter or other auxiliary aid for the deaf and hard of hearing
- ☐ Spokesperson or other auxiliary aid for the speech impaired
- ☐ Foreign language interpreter-specify language: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

Attorney Name: D. ADRIAN HOOSIER, IIFirm: LORD HOOSIER, PLLCAddress: 225 HALE ST. CHARLESTON, WV 25301Telephone: (304) 345-8030

Representing:

- ☒ Plaintiff ☐ Defendant
- ☐ Cross-Defendant ☐ Cross-Complainant
- ☐ 3rd-Party Plaintiff ☐ 3rd-Party Defendant

☐ Proceeding Without an AttorneyOriginal and 4 copies of complaint enclosed/attached.Dated: 04 / 18 / 2018Signature: 



Plaintiff: AMBER D. HALL, et al Case Number: \_\_\_\_\_  
 vs.  
 Defendant: GESTAMP WEST VIRGINIA, LLC, et al

**CIVIL CASE INFORMATION STATEMENT  
 DEFENDANT(S) CONTINUATION PAGE**

BARRY HOLSTEIN

Defendant's Name

3100 MacCorkle Ave. Building 307

Street Address

South Charleston, WV 25303

City, State, Zip Code

Days to Answer: 30

Type of Service: PERSONAL/SHERIFF

KENNETH SUPRENANT

Defendant's Name

42 Bridlewood Rd.

Street Address

Charleston, WV 25314

City, State, Zip Code

Days to Answer: 30

Type of Service: PERSONAL/SHERIFF

SCOTT HUGHES

Defendant's Name

3100 McCorkle Ave. Building 307

Street Address

South Charleston, WV 25303

City, State, Zip Code

Days to Answer: 30

Type of Service: PERSONAL/SHERIFF

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: \_\_\_\_\_

Type of Service: \_\_\_\_\_

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: \_\_\_\_\_

Type of Service: \_\_\_\_\_

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: \_\_\_\_\_

Type of Service: \_\_\_\_\_

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: \_\_\_\_\_

Type of Service: \_\_\_\_\_

1  
IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

**FILED**  
*Chap*  
2018 APR 18 A 10:09  
CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**AMBER D. HALL,**

**Plaintiff,**

**v.**

**GESTAMP WEST VIRGINIA, LLC,  
BARRY HOLSTEIN,  
KENNETH SUPRENANT,  
& SCOTT HUGHES,**

**Defendants.**

Civil Action No. 17-C- 526

Judge:

Jury Trial Demanded

*Kaufman*

**COMPLAINT**

1. Plaintiff was employed at Gestamp's facility in South Charleston, West Virginia from February 2014 to April 25, 2017.
2. On December 3, 2016, Plaintiff had an anxiety attack at work and was taken out of the building in an ambulance.
3. After that, Plaintiff's doctor placed her on FMLA from December 3 to December 19, 2016, in order to get treatment for her acute anxiety stemming from her PTSD.
4. Plaintiff continued to receive medical treatment for anxiety from her PTSD after she returned from FMLA.
5. Plaintiff suffered another anxiety attack at work on January 17, 2017.
6. Plaintiff's doctors placed her on FMLA again from January 17 until March 20, 2017. She continued to receive treatment and therapy for her PTSD anxiety during this time.

7. Plaintiff called Scott Hughes, the HR Department Manager at Gestamp, to inform him that she was not sure when she would be released to come back to work.

8. Hughes informed Plaintiff that Gestamp's policies had changed, and that she had three months of FMLA to use in 2017.

9. Hughes also informed Plaintiff that she qualified for short-term disability, which would allow her to get paychecks at her base pay rate of just over \$1600 per two weeks while she recovered.

10. Plaintiff, on Hughes' advice, went on short-term disability concurrently with her FMLA leave, beginning on January 17, 2017.

11. On March 15, 2017, Plaintiff called Scott Hughes to inform him that she was requesting to return to work, that she was having her therapist agree to release her back to work, and that her psychiatrist would sign off as soon as her therapist did.

12. Hughes claimed to have sent a certified letter to Plaintiff to let her know she had used up her FMLA leave, telling her that he had sent it weeks before this March 15 phone call.

13. During this call, Plaintiff inquired why Hughes was telling her that her FMLA was used up given that in January, he told her she had three months of FMLA to use as needed.

14. Hughes denied having told Plaintiff she had three months of FMLA leave.

15. Plaintiff received notice of this letter on March 15, the same day as her call with Hughes, when the postal service left her a notice that she had missed them and she would need to come sign for the letter at the post office.

16. Plaintiff left short-term disability on March 17, as she returned to work on Monday, March 20, 2017.

17. During the final three weeks before Plaintiff returned, her team leader (subordinate) Aaron Lambert was covering her position at Gestamp as a group leader (supervisor).

18. When Plaintiff returned to work, she approached her new supervisor Kenneth Suprenant, and asked him how her job duties had changed since Gestamp had created the supervisor position to manage the group leaders.

19. Suprenant informed Plaintiff that her duties had not changed at all.

20. While Plaintiff was out of the plant on FMLA, her desk was in use by team leader Aaron Lambert, while he filled in for her.

21. Plaintiff asked about getting her desk back, and Suprenant told Plaintiff that she was not permitted to have her desk back until Rusty Mossberger came to the area and okayed it.

22. When Plaintiff returned, the Business Operating System boards near the lobby of the plant listed Aaron Lambert's name under Plaintiff's.

23. It was not standard practice for team leaders at Gestamp to take over the jobs of group leaders in perpetuity without a promotion, as group leaders are above team leaders in terms of pay scale and responsibilities.

24. Suprenant treated Lambert as Plaintiff's superior after her return to work at Gestamp, despite the fact Lambert should have been reporting directly to Plaintiff.

25. Plaintiff was one of only two female group leaders at Gestamp's South Charleston facility, out of twelve group leaders in the facility.

26. On April 11, 2017, Plaintiff was on the line speaking with her team leaders Rhonda Holbert, Chuck Pennington, and Chris Groom.

27. Groom told Plaintiff that she was looking good.

28. Plaintiff was relating a story about working out at the gym when Erica Haynes approached the group and asked why everyone was laughing.

29. Plaintiff began relating the story to Haynes as well, leading to Plaintiff and Haynes exchanging positive comments about each others' posteriors.

30. Haynes then made a comment praising Plaintiff's breasts.

31. Plaintiff reacted to this comment with further joking, understanding the interaction to be lighthearted and humorous.

32. The parties parted ways without complaint.

33. Soon thereafter, Haynes submitted a request for absence to the Plaintiff for approval. Haynes submitted the request for absence on 3/28/2017- the request was denied- Haynes was told she could go to Suprenant to have it approved- she spent the day calling Plaintiff a "Bitch" down the line.

34. Plaintiff denied the request because it would have violated company rules by having over ten percent of her workers out on leave for that day.

35. Plaintiff advised Haynes that if she needed that day off, she could go to Suprenant and get him to approve it, as Plaintiff did not have the authority to approve leave which would violate Gestamp's ten percent headcount rule.

36. Haynes was incensed by this refusal and began complaining about Plaintiff to all who would listen for the rest of that day, walking the assembly line and referring to Plaintiff as "a bitch."

37. Haynes – to the surprise of everyone, including Plaintiff - had filed a complaint of sexual harassment against Plaintiff on April 21, 2017.

38. Haynes had been moved out of Plaintiff's area at the plant on April 20, 2017.

39. Multiple plant personnel told Plaintiff that Kenneth Suprenant had coached Erica Haynes into filing a sexual harassment complaint against Plaintiff.

40. Suprenant and other plant management personnel allowed Plaintiff to continue to supervise Haynes during the weekend, from April 22 to 23, 2017.

41. Neither Suprenant nor any other Gestamp management personnel had yet approached the Plaintiff to reprimand her over the sexual harassment complaint.

42. Neither Suprenant nor any other Gestamp management personnel had yet approached the Plaintiff to inform her of the complaint. Plaintiff was not placed on leave or prevented from coming into contact with the alleged victim.

43. Neither Suprenant nor any other Gestamp management personnel had yet approached the Plaintiff to reassign her to another area where she would not be overseeing the subject of her alleged harassment. In fact no changes were made at all. And Plaintiff was forced to cover an undesirable, and lengthy shift before she was fired.

44. On April 24, 2017, Rhonda Holbert came to Plaintiff and informed her that Erica Haynes had filed a complaint of sexual harassment against Plaintiff.

45. Plaintiff confronted Suprenant on April 24, 2017, about the sexual harassment complaint against her, and together they had a discussion about it in Scott Hughes' office.

46. In response to Plaintiff's attempts to address the sexual harassment complaint, Suprenant disdainfully dismissed the Plaintiff, saying "Why would I discuss this with you?" Plaintiff then was approached by Suprenant in his office directly and alone - the conversation was moved to Scott Hughes office, after Suprenant said, "let's take this to HR." Once the parties were in "HR" others joined.

47. In attendance for this discussion was Kenneth Suprenant, Rusty Mossberger, Scott Hughes, the Plaintiff, and, at the Plaintiff's insistence over the repeated objections of the men (Scott Hughes did not want Kristina Dodd involved) in attendance, Kristina Dodd.

48. Plaintiff did not deny making the comments to Haynes, but gave them context and asked if they were investigating Haynes for her comments about Plaintiff's body.

49. On April 25, 2017, Plaintiff was terminated, allegedly for her "sexual harassment" of Erica Haynes.

50. Scott Hughes claimed in Plaintiff's unemployment hearing that the investigation into Plaintiff was concluded within one day.

51. Hughes acknowledged that it is highly irregular for a sexual harassment investigation to be resolved within one day, and that he could not recall any other time at

Gestamp's South Charleston facility when such a complaint had been resolved within one day.

52. Plaintiff had previously filed a complaint of sexual harassment against Barry Holstein. Holstein aggressively pursued Hall to engage in a sexual relationship.

53. Holstein asked Plaintiff out for drinks and dinner, over which he said they could discuss her future opportunities at the plant.

54. Plaintiff declined this invitation.

55. Thereafter, Holstein made Plaintiff's time at work unpleasant however he could in retaliation for her rejection of his advances.

56. Plaintiff complained about this treatment to Nancy Paxton, the HR Department Manager at that time.

57. Paxton relayed all that Plaintiff had told her to Holstein, causing Holstein to confront Plaintiff about her complaints.

58. Holstein told the Plaintiff she was not to take her complaints to HR or any higher-ups, and that she must speak to him regarding any further complaints.

59. After this confrontation, Plaintiff perceived that her initial complaint to Paxton had failed; she then approached Paxton again to ask for aid with Holstein's mistreatment.

60. Paxton again failed to take action to prevent Plaintiff's harassment by Holstein, causing Plaintiff to take her complaints higher to Paul Lezanic, the plant manager at that time.



61. Lezanic responded to Plaintiff's complaints by saying he worried about her mental health, and that maybe this job wasn't for her.

62. Plaintiff tried one more time to convince Lezanic to take action to remove her from under Barry Holstein's supervision, and once more Lezanic refused to address the situation.

63. Plaintiff then tried to reach Gestamp's corporate HR for help with her harassment by Holstein, and they told her to meet with her plant manager to address her issues.

64. By this time a new plant manager was in charge, Walter Thomas, so Plaintiff met with him and complained of her mistreatment by Holstein due to rejecting Holstein's advances. Thomas told her to write a formal complaint so that HR could do an investigation.

65. Plaintiff wrote a formal complaint against Holstein, as directed by the plant manager, and submitted it to HR at Gestamp's South Charleston facility. (This complaint was sent directly by email to Scott Hughes and Walter Thomas).

66. Gestamp's HR department took no action on the complaint, saying that the allegations could not be substantiated. (Again, Scott Hughes)

67. Holstein's mistreatment of Plaintiff continued, exacerbating her PTSD anxiety, until he resigned to take another position at a different company.

68. Upon her termination on April 25, Plaintiff was walked out of the plant by Kenneth Suprenant.

69. Erica Haynes was heard telling other employees "you're welcome," as Plaintiff was being led out of the plant. (Haynes was doing this while Plaintiff was being walked out and after her termination – obviously damaging, embarrassing and insulting to plaintiff who was being retaliated against.)

70. Haynes was promptly promoted to work in launch coordination at Gestamp's South Charleston facility after Plaintiff's termination. She was to work with Aaron Lambert.

71. Plaintiff was illegally targeted for termination due to her medical leave and issues with PTSD anxiety and her gender, female.

72. Termination due to Plaintiff's disability and/or gender is a violation of the West Virginia Human Rights Act.

73. Defendant Gestamp is a limited liability company authorized to do business in the State of West Virginia with its principal place of business in Troy, Michigan.

74. Defendants Suprenant and/or Hughes are and at all times relevant hereto have been a residents of the State of West Virginia. Defendant Suprenant and/or Hughes conspired, aided, and abetted Defendant Gestamp in discrimination against Plaintiff based upon disability and gender.

75. Plaintiff reserves right to amend to allege claims for violations of public policy, namely relation for plaintiff's complaints, her taking leave to address medical concerns, complaints of sexual harassment, and violations of the Equal Pay Act.

WHEREFORE, Plaintiff demands against Defendants damages for lost wages, the value of lost benefits, damages for mental and emotional distress, punitive damages,

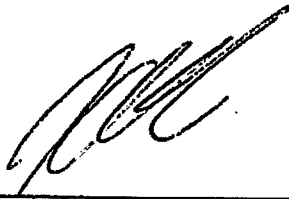
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costs and attorney's fees, injunctive relief including but not limited to reinstatement, and such other and further relief as may upon the premises be appropriate.

**Jury Trial Demanded.**

AMBER D. HALL,  
Plaintiff by Counsel,

Respectfully submitted,



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